

Message Text

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PAGE 01 SAN SA 00390 050133Z
ACTION VO-03

INFO OCT-01 ARA-10 ISO-00 SCA-01 CPR-01 L-03 PPTE-00
CIAE-00 INR-07 NSAE-00 /026 W
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R 261800Z JAN 77
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC 3211

UNCLAS SAN SALVADOR 0390

C O R R E C T E D C O P Y (PARA ONE)

E.O. 11652: N/A
TAGS: CVIS, PDIP, ES
SUBJECT: A-2 STATUS AND DIPLOMATIC IMMUNITY

REF: SAN SALVADOR 0379; STATE 008877

1. TWO ISSUES WERE RAISED DURING DISCUSSIONS WITH FOREIGN MINISTRY ON VISA RECIPROCITY AND OFFICIAL VISA PROCEDURES (REFTEL) ON WHICH EMBASSY WOULD APPRECIATE GUIDANCE. SECTION 101(A)(15)(A)(II) INA MENTIONS BOTH ACCREDITATION BY FOREIGN GOVERNMENT RECOGNIZED DE JURE BY US AND ACCEPTANCE BY SECRETARY OF STATE AS REQUIREMENT FOR A-2 STATUS. NOTE 2.1(B) TO 22 CFR 41.20 PERMITS A-2 STATUS FOR PERSONS PERFORMING DUTIES ON BEHALF OF THEIR GOVERNMENT WHICH IN DEPT'S VIEW ARE OFFICIAL IN NATURE, BUT NO MENTION MADE OF ACCEPTANCE BY SECRETARY. SEVEN WHITEMAND 120,121 STATUS THAT LEGAL ADVISOR'S OFFICE HOLDS THAT MERE ISSUANCE OF AN "A" VISA NOT CONSIDERED "ACCEPTANCE" UNDER INA AND IN ITSELF DOES NOT CONFER DIPLOMATIC IMMUNITIES. FOREIGN MINISTRY RAISED QUESTIONS OF WHETHER PERSONS TRAVELLING TO US ON TEMPORARY OFFICIAL ASSIGNMENTS SHOULD BE ROUTINELY NOTIFIED TO SECRETARY AND UNDER WHAT CIRCUMSTANCES DIPLOMATIC IMMUNITY WOULD BE GRANTED. EMBASSY SUGGESTED THAT SALVADORAN AMEMASSAODR IN WASHINGTON DISCUSS MATTER WITH DEPARTMENT, BUT WE WOULD APPRECIATE ANY GUIDANCE DEPARTMENT COULD PROVIDE ON UNCLASSIFIED

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GENERAL QUESTION OF CRITERIA FOR GRANTING OF DIPLOMATIC IMMUNITY TO PERSONS PROCEEDING TO U.S. ON TEMPORARY OFFICIAL ASSIGNMENTS.

2. SECOND ISSUE INVOLVED APPROPRIATENESS OF A-2 STATUS FOR OFFICIALS OF GOVERNMENTS AT LOCAL LEVEL TRAVELLING ON LOCAL GOVERNMENT BUSINESS. RECENT EXAMPLE WAS APPLICATION OF MAYOR OF SAN

SALVADOR WHO WAS GOING TO U.S. TO PURCHASE EQUIPMENT FOR USE BY CITY GOVERNMENT AND FOR WHOM AN OFFICIAL VISA WAS REQUESTED FOR ISSUANCE IN HIS OFFICIAL PASSPORT. EMBASSY INTERPRETS "FOREIGN GOVERNMENT" AS USED IN 101(A)(15)(A)(II) TO INCLUDE GOVERNMENTS OF LOCAL ENTITIES BUT WOULD APPRECIATE DEPARTMENT'S OPINION.

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Copy: SINGLE
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
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Enclosure: n/a
Executive Order: N/A
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Handling Restrictions: n/a
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